

**OSHTEMO CHARTER TOWNSHIP BOARD
7275 West Main Street
Kalamazoo, MI 49009
269.375.4260**

**Tuesday
April 23, 2019**

**Township Board Meeting
IT Work Group**

**6:00 p.m.
AGENDA**

1. Call to Order
2. Public Comment
3. Approve Minutes, April 9, 2019, Regular Meeting
4. Discussion of Township IT
 - a. Update on Server Migration Process (Grant)
 - b. Website Hosting and Design Update (Dusty)
5. Other Township Business
 - a. Consideration of Drake Farmstead Park Consultant Contract Amendment
 - b. Discussion on Agritourism Zoning Ordinance (Continued)
 - c. Discussion on Township-wide Single Waste Hauler (Continued) - Resident Survey
 - d. Update and Discussion on Skyridge Neighborhood Traffic Calming
6. Public Comment
7. Adjournment

**Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

| Oshtemo Township Board of Trustees | | |
|---------------------------------------|----------|--|
| <u>Supervisor</u> | | |
| Libby Heiny-Cogswell | 216-5220 | libbyhc@oshtemo.org |
| <u>Clerk</u> | | |
| Dusty Farmer | 216-5224 | dfarmer@oshtemo.org |
| <u>Treasurer</u> | | |
| Grant Taylor | 216-5221 | gtaylor@oshtemo.org |
| <u>Trustees</u> | | |
| Cheri L. Bell | 372-2275 | cbell@oshtemo.org |
| Deb Everett | 375-4260 | deverett@oshtemo.org |
| Zak Ford | 271-5513 | zford@oshtemo.org |
| Ken Hudok | 548-7002 | khudok@oshtemo.org |

| Township Department Information | | |
|--|----------|--|
| <u>Assessor:</u> | | |
| Kristine Biddle | 216-5225 | assessor@oshtemo.org |
| <u>Fire Chief:</u> | | |
| Mark Barnes | 375-0487 | mbarnes@oshtemo.org |
| <u>Ordinance Enf:</u> | | |
| Rick Suwarsky | 216-5227 | rsuwarsky@oshtemo.org |
| <u>Parks Director:</u> | | |
| Karen High | 216-5233 | khigh@oshtemo.org |
| Rental Info | 216-5224 | oshtemo@oshtemo.org |
| <u>Planning Director:</u> | | |
| Julie Johnston | 216-5223 | jjohnston@oshtemo.org |
| <u>Public Works:</u> | | |
| Marc Elliott | 216-5236 | melliott@oshtemo.org |

**Oshtemo Charter Township
Project Status Report
Implement BusinessCloud with CTS EVC**

Date: 4/19/2019

Project Intent:

Implement BusinessCloud services, replacing the current temporary Secant provided HP Server, VMware licensing, and existing virtual machines. To also implement a client provisioned CTS 100Mb EVC between the Township and the Secant Kalamazoo Data Center (where BusinessCloud services will reside).

Accomplished Milestones:

March 27: CTS 100Mb circuit live between Township and Secant Kalamazoo Data Center.

April 18: Office 365 ProPlus and Sophos Central Antivirus installed on Township computers.

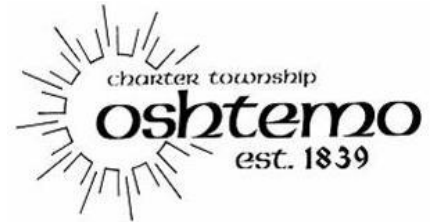
BusinessCloud Servers are configured and ready for cut-over day migration.

The Schedule Ahead

Monday, April 29 – Systems cut over to run on Secant Business Cloud.

Tuesday, April 30 – Secant staff on-site at Township for any follow-up support.

Wednesday, May 1 – Secant staff remotely available for follow-up support.



Memorandum

Date: April 19, 2019
To: Township Board
From: Dusty Farmer, Clerk
Subject: Website hosting and redesign

Objective:

Migrate our website to SiteGround through Gibson Creative, and approve a contract with Gibson Creative to redesign our website.

Summary:

The recent migration to Flywheel has been less than satisfactory for Oshtemo. We have been subjected to numerous security risks and breaches, along with having to unresponsive poor customer support. Our experience is similar to that of Southwest Michigan Building Authority (SMBA) who has since decided to switch hosting services from Flywheel to SiteGround.

While researching more information about a possible change we came across an opportunity to have our site redesigned and migrated to a more secure hosting service by using a local company. As you may remember, we looked at redesigning the website over a year ago, and the high costs prevented us from moving forward. This opportunity is presented as being much more affordable while also meeting our hosting needs less expensively than other options available.

Included:

Table comparison of hosting options
Proposal for web design, addendum, and contract from Gibson Creative



ESTIMATE

Gibson Creative LLC
PO Box 19364
Kalamazoo, Michigan 49019-0364
United States

269-532-6118
gibsoncreative.pro

BILL TO
Oshtemo Charter Township
Dusty Farmer
7275 W MAIN ST
KALAMAZOO, Michigan 49009-8210
United States

269-375-4260
dfarmer@oshtemo.org

Estimate Number: 00001

Estimate Date: April 15, 2019

Expires On: June 3, 2019

Grand Total (USD): **\$2,812.50**

| Items | Quantity | Price | Amount |
|--|----------|---------------------------|-------------------|
| Project Flat Rate - Web Design Redesign of township website. One-time cost. | 1 | \$3,000.00 | \$3,000.00 |
| Website Hosting Annual Cost - \$45 for First Year, \$100 After | 1 | \$45.00 | \$45.00 |
| Website Maintenance - Annual Annual Cost - This will be prorated from the date that the invoice is issued using the formula below. | 1 | \$75.00 | \$75.00 |
| Discount - Government / Education / Non-Profit 10% Discount on Development & Maintenance | 1 | (\$307.50) | (\$307.50) |
| | | Total: | \$2,812.50 |
| | | Grand Total (USD): | \$2,812.50 |

Notes

A proposal to redesign the Oshtemo Township website.

Gibson Creative will create a new look for the website, and work with township staff to streamline & enhance the user experience for the residents of the township. Gibson Creative will place an emphasis on making information easy to locate and reducing clutter on the website.

A \$500 non-refundable deposit will be required prior to the start of the project. This deposit will be credited towards the final invoice.

Prorating Formula:

$((365 - (\text{Day of Year})) / 365) * 75$

Client Services Contract

| | |
|------------------------|--|
| Client Name | |
| Primary Contact | |
| Street Address | |
| City ST, ZIPCO | |
| Client Phone | |
| Client Email | |

This New Client Services Contract (the "Agreement") is made effective as of _____ (the "Effective Date"), by and between GIBSON CREATIVE LLC and the Client.

Section 1: Independent Contractor

GIBSON CREATIVE LLC is an independent contractor. This contract does not constitute a partnership, joint venture, employer/employee or any similar relationship between the parties. The contractor does not have any authority to and will not act as an agent for or represent the Client in any way.

Section 2: Performance of Services

1. GIBSON CREATIVE LLC will deliver the product in a timely manner according to the specifications outlined by the Client and by GIBSON CREATIVE LLC.
2. The Client will provide a single point of contact who will be responsible for all communication for the project.
3. The Client will provide all materials required to complete the project, such as logos / artwork / etc. in a timely manner.
4. The Client will use the Proofing Platform provided by GIBSON CREATIVE LLC for all revision requests and tracking.

Client Services Contract

Section 3: Non-Disclosure

GIBSON CREATIVE LLC acknowledges that in the course of performing services for the Client, GIBSON CREATIVE LLC may obtain knowledge of the Client's business plans, products, processes, know-how, trade secrets, formulas, methods, models, prototypes, discoveries, inventions, improvements, disclosures, names and positions of employees and/or other proprietary and/or confidential information (collectively the Confidential Information). GIBSON CREATIVE LLC agrees to keep the Confidential Information secret and confidential and not to publish, disclose or divulge to any other party, and GIBSON CREATIVE LLC agrees not to use any Confidential Information for their own benefit or to the detriment of the Client without the prior written consent of the Client, whether or not such Confidential Information was discovered or developed by GIBSON CREATIVE LLC. GIBSON CREATIVE LLC also agrees not to divulge, publish or use any proprietary and/or confidential information of others that the Client is obligated to maintain in confidence.

Section 4: Billing

1. The Client will be provided with an invoice upon completion of the project and when a Non-refundable Deposit is requested. The invoice will include the base fees for a given project, the total number of hours worked on the project (five hour minimum), and any other fees associated with product delivery or other pre-determined fees.
2. Past due invoices will be assessed a late fee in accordance with the following schedule:
 - 1-30 Days - 8% of Total Invoice Balance
 - 31 + Days - 12% of Total Invoice Balance, Compounding Monthly Until Paid
3. GIBSON CREATIVE LLC reserves the right to assess a Project Rush Fee for projects with deadlines that are less than 120 hours (5 days) from the start of the project.

Section 5: Payment

1. The Client agrees to pay the total sum invoiced by GIBSON CREATIVE LLC by the date listed on the invoice OR the revised date provided by GIBSON CREATIVE LLC.
2. GIBSON CREATIVE LLC will provide proofs to the Client to ensure that the Client is satisfied prior to the final delivery of the product. Proofing edits will be billed at the agreed-upon hourly or per-edit rate by project.
3. On being satisfied with the final product, GIBSON CREATIVE LLC will deliver the finalized media in accordance with the agreed upon specifications provided by the Client.
4. GIBSON CREATIVE LLC may in some instances permit for payment plans. Payment plans will require a written agreement between GIBSON CREATIVE LLC and the Client.
5. If the client does not adhere to the payment terms outlined herein, the GIBSON CREATIVE LLC may at its discretion pursue legal action in an attempt to secure payment for services rendered.

Client Services Contract

Section 6: Non-refundable Deposit

GIBSON CREATIVE LLC reserves the right to request a non-refundable deposit for a sum to be agreed upon by all parties prior to the start of the project. The Client understands that the project will not commence until this non-refundable deposit is received by GIBSON CREATIVE LLC. The Client understands that a deposit is not the total cost of the project, and that the remaining sum of the project will be due upon delivery of the finalized product.

Section 7: Cancellation Policy

All deposit fees are non-refundable. A minimum of two days notice prior to the start of working on the project will be required for the cancellation of a project. Any cancellation made with less than two days notice prior to the agreed upon service date(s) will result in a \$75 cancellation fee to be paid within 30 days of the date of cancellation. If the cancellation is initiated by GIBSON CREATIVE LLC, all monies paid to GIBSON CREATIVE LLC by the Client will be fully refunded, including any deposit fees. Refunds will be issued via check within 30 days to the client address on file.

Section 8: Mandatory Arbitration

Any controversy or claim which arises out of or relating to this contract, or the breach thereof, is to be settled by means of arbitration rather than litigation. An arbitrator is to be selected by GIBSON CREATIVE LLC, and the laws governing the State of Michigan shall apply. All fees resulting from arbitration and attorney fees are to be paid by the Client.

Section 9: Copyright

GIBSON CREATIVE LLC retains the right to copy, edit, share, and display the finalized delivered product. The Client's right to copy, share, edit, and display the finalized delivered product is only transferred upon successful and full payment. If the client desires to obtain sole copyright, there will be an additional fee of \$500, upon receipt of which the finalized delivered product will become the sole property of the Client. The client is not entitled to any of the working files use to create the finalized delivered product. If so desired, the client may in some instances purchase an exclusive license from GIBSON CREATIVE LLC for the use of the working files for a given project; under no circumstances does this transfer copyright for the working files from GIBSON CREATIVE LLC to the client. GIBSON CREATIVE LLC may refuse to issue a license if it is deemed prudent to do so. Working files remain the copyrighted work of GIBSON CREATIVE LLC at all times.

Client Services Contract

Section 10: Data Retention

Any data associated with your project will be retained for a minimum of 30 days after delivery of the final product. If you wish to ensure that the project files are retained indefinitely, you may purchase permanent storage space from GIBSON CREATIVE LLC; such storage space will ensure that your data is retained for the life of GIBSON CREATIVE LLC. The fee for permanent storage space will be determined at the close of a project, and will be calculated by GIBSON CREATIVE LLC based on the amount of data to be retained.

Section 11: Included Addendums

The following addendums are hereby known to be included with this contract as indicated with checkmarks below:

- Web Edit Addendum
- Web Responsibility Addendum

Section 12: Amendments

This Agreement can only be changed by mutual written consent.

Signature Area

By signing below, the undersigned acknowledges that they have read, understand, and agree to the terms of this document as outlined herein. The undersigned acknowledges that they are an authorized representative for the Client, with authority to enter into this contract.

Kyle Gibson,
Creative Director at
Gibson Creative LLC

Date

Client Signature

Date

Client Printed Name

Client Title

Client Services Contract - Web Edit Addendum

The client hereby (elects) (does not elect) to have GIBSON CREATIVE LLC perform minor updates to their website (including updating copy to correct for grammar / spelling errors, uploading attachments, performing platform updates / security updates; does not include adding multiple new pages, changing design, or other updates that would be considered “major” in nature). The Client understands that if not elected, the client will be responsible for version and security updates to the website.

If so elected, the client wishes to be billed:

- Annually (\$75)
- Per Edit (\$25/Edit OR Hourly Rate For Updates > 1 Hour)

Section 1: Billing

1. If so elected, the Client will receive an invoice on the first day of December, due on the last day of the month for support for the next year.
2. If so elected, the Client will receive an invoice following each requested edit to the website.

Section 2: Payment

1. The Client agrees to pay the total sum invoiced by GIBSON CREATIVE LLC by the date listed on the invoice OR the revised date provided by GIBSON CREATIVE LLC.

Signature Area

By signing below, the undersigned acknowledges that they have read, understand, and agree to the terms of this document as outlined herein. The undersigned acknowledges that they are an authorized representative for the Client, with authority to enter into this contract.

Kyle Gibson,
Creative Director at
Gibson Creative LLC

Date

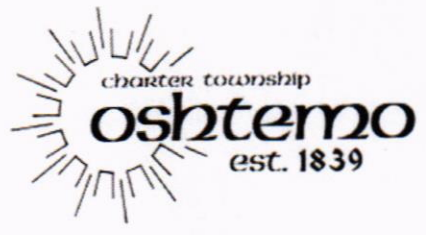
Client Signature

Date

Client Printed Name

Client Title

Memorandum



Date: April 19, 2019

To: Township Board

From: Karen High, Parks Director

Subject: Request for Budget Amendment - Drake Farmstead Park Phase II Contract for Professional Design Services

OBJECTIVE

To request a budget amendment to shift funds within the Parks budget. (See attached Budget Amendment form for details.)

INFORMATION

Construction documents for Phase II improvements at Drake Farmstead Park are nearly complete. The initial cost estimate showed that construction costs would be significantly over budget, so OCBA Landscape Architects was asked to revise the plans to bring the project within budget. A budget amendment is requested to cover the cost of their additional time.

The request is to shift funds that were budgeted for consultant fees but will not be spent in 2019.

BUDGET AMENDMENT REQUEST

(Requesting funds for a line item in addition to the approved budget)

Date: 04/19/2019

Department Head Name: Karen High

Fund Name:

Additional Funds Request for: 107-756-80800.DRFMP2
(description and GL number) _____

| | | Amount |
|--|--|--|
| Consultant - Drake Farmstead Park Ph 2 | <input type="text" value="\$ 3,700.00"/> | |
| _____ | <input type="text"/> | |
| _____ | <input type="text"/> | <input type="text" value="\$ 3,700.00"/> |

Funds requested from: 107-756-80800
(description and GL number) _____

| | | |
|------------|--|--|
| Consultant | <input type="text" value="\$ 3,700.00"/> | |
| _____ | <input type="text"/> | |
| _____ | <input type="text"/> | |
| _____ | <input type="text"/> | <input type="text" value="\$ 3,700.00"/> |

Explanation of request:

Funds are needed to cover the cost of professional services to revise the construction documents for Drake Farmstead Park Phase 2. Revisions are needed to bring the construction cost within budget.

Supervisor Review:
(pending or date reviewed)

Board Authorization:
(pending or date authorized)



Memorandum

Date: 16 April 2019

To: Karen High, Parks Director - khoshtwp@oshtemo.org
Oshtemo Township

Project: Drake Farmstead Improvements

As we discussed, we are working to revise the bid documents as Oshtemo Township has requested to bring the project to within the Township's budget. And that effort will put us way over OCBA's current design budget.

In order to provide the services required we propose to complete the revisions for an additional fee of \$3,700.00; I've attached our "fee worksheet" to show how we anticipate investing the time needed to make the requested revisions.

I trust this will be acceptable. Please don't hesitate to contact me with questions or to discuss.

Thank you.

Copies: Elizabeth Heiny-Cogswell - libbyhc@oshtemo.org

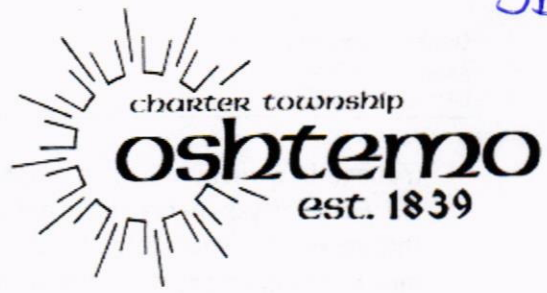
OCBA Landscape Architects - Fee Worksheet

Drake Farmstead Park, Oshtemo Township, Michigan

Plan Revisions 4/10/2019

Task/Hour Breakdown

| | | SJB/KWP | PW | Questions Clarifications |
|--|---------------------------------|-----------------|-------------------|--------------------------|
| | Hourly Rate | \$100.00 | \$80.00 | |
| | | | | |
| | Base Revisions | | 4 | |
| | Demolition | | 2 | |
| | Layout | | 4 | |
| | Grading | | 6 | |
| | Seeding / Restoration | | 2 | |
| | Irrigation | | | |
| | Details | | 2 | |
| | Project Manual | | 5 | |
| | Final Opinion of Probable Cost | | 4 | |
| | Misc Drafting | | | |
| | 50% Plan review Meeting | | | |
| | 90% Plan review Meeting | | | |
| | Communications | 1 | 1 | |
| | Storm Calculations | | 4 | |
| | 100% CD Review | 4 | 2 | |
| | Plan / Proj Manual revisions | | 4 | |
| | CD Revisions Total Hours | 5 | 40 | |
| | Hourly Rate | \$100.00 | \$80.00 | |
| | Total Fees | \$500.00 | \$3,200.00 | \$3,700.00 |



April 18, 2019

Mtg Date: April 23, 2019

To: Township Board

From: Julie Johnston, AICP

Subject: DRAFT Agribusiness/Agritourism Ordinance – Work Session

At the April 9th Township Board Work Session, there were some concerns related to the draft Agritourism Ordinance the Board wished to discuss further. These items were as follows:

1. Outdoor bands/amplified music – there was discussion related to limiting the times outdoor music would be permitted. Some Board members indicated that the special use review through the Planning Commission could handle this concern, allowing each applicant an opportunity to present their request. However, staff is unsure if consensus was reached.
2. Special events – there was concern that special events may not be clearly described in the draft Ordinance. This was also identified as a concern from a member of the audience who has an agritourism business. The Ordinance currently defines special events as the following:

Agricultural Special Event (Agritourism Category 2): A planned and organized education, entertainment, or recreation occasion or activity that brings the public to the agricultural operation, whether or not the participant paid to take part in the special event, provided said event is solely provided by the agritourism property owner.

Holiday Events/Festivals (Agritourism Category 2 and 3): Nationally recognized or official public holidays, and/or observation of cultural traditions.

Wedding/Celebratory Event (Agritourism Category 2 and 3): observation of a special social occasion such as a wedding, birthday, cultural traditions, etc., where people meet to commemorate and revel.

These definitions do not include retail special events, which was the main issue of concern outlined by the business owner. Staff would recommend adding Retail Special Event to the definitions, as follows:

Retail Special Event (Agritourism Category 2 and 3): A planned retail sales activity which brings the public to the property to allow vendors to sell their products for a set period of time.

3. Event Size/Number Table – Agritourism Category 2 and 3 allow for a variety of events based on size and type of event. The Planning Commission spent a number of meetings on these tables trying to

manage how many events a property would be permitted based on the size of event. This would allow property owners to have more smaller events, while still offering opportunities for larger events throughout the year. They tried to achieve a balance between allowing special events to occur and managing impacts to neighboring property owners who may be impacted by the events.

There was some discussion around changing the tables to include maximums instead of a range of event sizes. Staff would request the Board continue this discussion for consensus on any possible ordinance change.

4. Restricting Existing Businesses – Some concerns were voiced by audience members that the new ordinance will restrict the operation of an existing business. It is important to point out that the business in question has never received Township approval for much of the operations occurring on site. Expansion of the retail and many of the recreational components of this operation are not covered by the Right to Farm Act and are not permitted under their current zoning. For example, one of the business owners indicated they have retail events on site where outside vendors can sell their wares. This is not an operation that would be covered by their right to farm, nor has the property owner secured special use approvals from the Township for their temporary outdoor event.

With that said, the Agritourism Ordinance will actually bring much of these operations into compliance. Limited retail uses and recreational opportunities are permitted under the draft ordinance. The agritourism operation may have to reduce the number of special events they have in a year, similar to how other agritourism operators will be regulated. It is also likely that no new retail would be permitted onsite, as the current operation likely already exceeds the permissible square footage.

While the Agritourism Ordinance may place some additional restrictions on this existing business, these restrictions are appropriate for the location and zoning in which this property is located. While a long-standing operation in the Township, there are still issues of compatibility and commercialization of the site that should be managed long-term. The Agritourism Ordinance will assist with these concerns.

Finally, the Agritourism Ordinance opens up opportunities for other agricultural and rural properties to have these same options for expanding operations, providing for more flexibility within the code.

5. Typo on Pages 9 and 10 – A typo was indicated at the Work Session, which has been fixed.

Please feel free to contact me or Supervisor Heiny-Cogswell in advance of the April 23rd meeting if you have additional questions or concerns related to the Ordinance. This will help staff to better prepare for continued discussions at the meeting.

Thank you.

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. ____

Adopted: _____, 2019

Effective: _____, 2019

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance to address agribusiness/agritourism to provide definitions related to agribusiness/agritourism, select those zoning districts in which to locate agribusinesses and agritourism facilities and to classify these uses as permitted and/or as a special use, establish conditions to be applied to permitted uses for agribusiness and agritourism Category 1 facilities and establish conditions for special uses for agritourism, Category 2 and Category 3 facilities. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION I. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 2: CONSTRUCTION OF LANGUAGE AND DEFINITIONS, SECTION 2.20 DEFINITIONS. Article 2: Construction of Language and Definitions, Section 2.20 Definitions is hereby amended to add the following definitions to read as follows:

ARTICLE 2: CONSTRUCTION OF LANGUAGE AND DEFINITIONS

Section 2.20 Definitions

Agribusiness: Any business catering exclusively to agricultural production, which may include, but is not limited to, supplying services or goods (such as feed or supplies) to producers of marketable agricultural products like greenhouses, nurseries, and farm cooperatives.

Agriculture: The science, art, or occupation of cultivating land, raising crops, and feeding, breeding, and raising livestock.

Agriculture building: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products and that is clearly accessory to the agricultural activity on site.

Agriculture operation: The production, harvesting, and storage of farm products including the land, plants, animals, buildings, structures, ponds, machinery, equipment, and other appurtenances used in the production of farm goods as a source of income.

Agricultural products: Includes but is not limited to, crops (corn, wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.);

floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.

Agricultural special event (Agritourism Category 2): A planned and organized education, entertainment, or recreation occasion or activity that brings the public to the agricultural operation, whether or not the participant paid to take part in the special event, provided said event is solely provided by the agritourism property owner.

Agriculturally related products: Items sold at a farm to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream-based desserts and beverages, jams, honey, food stuffs, and other items promoting the farm and on-site production.

Agriculturally related uses: Those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc.

Agritourism: An agriculturally based operation or activity that brings public to a working farm for the purpose of enjoyment, education, or active involvement in the farm operation. Agritourism enterprises are further classified as follows:

- a. **Agritourism, Category 1:** An agritourism enterprise limited to u-pick fruits and vegetable operations, direct on-farm product sales, and farm markets.
- b. **Agritourism, Category 2:** An agritourism enterprise that includes education, entertainment, agricultural related uses and products, and limited non-agricultural related uses and products including: educational tours; historical agricultural exhibits; educational classes, lectures and seminars; petting farms, animal display and pony rides; outdoor mazes of agricultural origin, such as straw bales or corn; wagon, sleigh and hayrides; nature trails; outdoor picnic areas; and, other similar uses.
- c. **Agritourism, Category 3:** An agritourism enterprise that utilizes the rural character or agricultural buildings on site for nonresidential special events or activities, including: educational tours, classes, lectures, and seminars; celebratory gatherings such as weddings; retail events such as farm markets, barn markets, and agricultural sales; day camps; and, other similar special events or activities.

Farm Market: The sale of agricultural products directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land. This definition includes farm stands and roadside stands.

Holiday Events/Festivals (Agritourism Category 2 and 3): Nationally recognized or official public holidays, and/or observation of cultural traditions.

Non-agriculturally related products: Items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.

Non-agriculturally related uses: Activities that are part of an agricultural tourism operation's total offerings but not tied to farming. Such non-agriculturally related uses include amusement rides, concerts, special events, etc.

Seasonal: A recurrent period characterized by certain occurrences, festivities, or crops; harvest, when crops are ready; not all year round.

U-Pick: A fruit or vegetable-growing farm that provides the opportunity for customers to pick their own fruits or vegetables directly from the plant.

Wedding/Celebratory Event (Agritourism Category 2 and 3): observation of a special social occasion such as a wedding, birthday, cultural traditions, etc., where people meet to commemorate and revel.

SECTION II. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 4: AG: AGRICULTURAL DISTRICT, SECTION 4.30 PERMITTED USES WITH CONDITIONS. Article 4: AGRICULTURAL DISTRICT, Section 4.30 PERMITTED USES WITH CONDITIONS is hereby amended to add the following paragraphs to read as follows:

ARTICLE 4: AG: AGRICULTURAL DISTRICT

4.30 PERMITTED USES WITH CONDITIONS

- C. Agribusiness
- D. Agritourism, Category 1

SECTION III. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 4: AG: AGRICULTURAL DISTRICT, SECTION 4.40 SPECIAL USES. Article 4: AGRICULTURAL DISTRICT, Section 4.40 SPECIAL USES is hereby amended to add the following paragraphs to read as follows:

ARTICLE 4: AG: AGRICULTURAL DISTRICT

4.40 SPECIAL USES

- J. Agritourism, Category 2
- K. Agritourism, Category 3

SECTION IV. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 5: RR – RURAL RESIDENTIAL DISTRICT, SECTION 5.30 PERMITTED USES WITH CONDITIONS. Article 5: RR – RURAL RESIDENTIAL DISTRICT, Section 5.30 PERMITTED USES WITH CONDITIONS is hereby amended to add the following paragraphs to read as follows:

ARTICLE 5: RR – RURAL RESIDENTIAL DISTRICT

5.30 PERMITTED USES WITH CONDITIONS

- D. Agribusiness
- E. Agritourism, Category 1

SECTION V. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 5: RR – RURAL RESIDENTIAL DISTRICT, SECTION 5.40 SPECIAL USES. Article 5: RR – RURAL RESIDENTIAL DISTRICT, Section 5.40 SPECIAL USES is hereby amended to add the following paragraphs to read as follows:

ARTICLE 5: RR – RURAL RESIDENTIAL DISTRICT

5.40 SPECIAL USES

- N. Agritourism, Category 2
- O. Agritourism, Category 3

SECTION VI. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 48: CONDITIONS FOR

SPECIFIC PERMITTED USES, BY ADDITION OF NEW SECTION 48.10. Article 48:

CONDITIONS FOR SPECIFIC PERMITTED USES, Section 48.10 is hereby amended to add the following paragraphs to read as follows and to renumber the subsequent paragraphs:

ARTICLE 48: CONDITIONS FOR SPECIFIC PERMITTED USES

48.10 AGRIBUSINESS

1. Application Narrative. A written narrative will be provided with any application describing the use in detail, including all the types of items, goods and merchandise that are proposed to be sold; the proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; and other information describing the use and which will assist the reviewing body in determining whether the application meets the conditional use requirements.
2. Exemptions. Generally recognized agricultural operations, which are not involved with the retail sales of goods to other agricultural producers, are exempt from these standards.
3. Building Floor Area.
 - a. Total building floor area for the agribusiness shall not exceed 2,000 square feet.
 - b. The maximum portion of any building used for agribusiness sales shall not exceed 600 square feet.
4. Outdoor Storage. Outdoor storage of agribusiness materials shall be limited to 1,000 square feet and shall be located in the rear yard only.
5. Road Access. Access to an agribusiness use must be from the County primary road or State highway, unless approved by the Planning Commission.
6. Parking. On-site vehicle parking shall be provided on agribusiness property as follows:
 - a. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the total building floor area, plus one space for every two employees. This shall not include areas dedicated to agricultural production.
 - b. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
 - c. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
 - d. Parking and driveway surfaces may be pervious or hard surface.
7. Education-Oriented Activities. Events and/or activities which bring the public to the property for the sole purpose of participation, learning, or involvement in the agricultural operation are permitted if they meet the following criteria:

- i. Are limited to a one-day event no more than five times throughout a 12-month period.
 - ii. Have not more than 50 participants on the property at any one time during the one-day event.
8. Impact. If the proposed agribusiness use would cause undue impacts to surrounding properties related to drainage, traffic, noise, or other general health and safety issues, as determined by the Planning Director, or if the size of the agribusiness exceeds the maximums allowed herein, review and approval by the Planning Commission as a Special Use shall be required.

SECTION VII. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 48: CONDITIONS FOR SPECIFIC PERMITTED USES, BY ADDITION OF NEW SECTION 48.20. Article 48:

CONDITIONS FOR SPECIFIC PERMITTED USES, Section 48.20 is hereby amended to add the following paragraphs to read as follows and to renumber the subsequent paragraphs:

ARTICLE 48: CONDITIONS FOR SPECIFIC PERMITTED USES

48.20 AGRITOURISM, CATEGORY 1

1. Application Narrative. A written narrative describing the use in detail, including the proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; and other information describing the use and which will assist the reviewing body in determining whether the application meets the conditional use requirements.
2. Exemptions.
 - a. Generally recognized agricultural operations, which are not involved with the retail sales of goods to the public, are exempt from these standards.
 - b. Farm markets with a sales area of 200 square feet or less, seasonal in nature, and where no permanent structure exists, are exempt from this ordinance.
3. Floor Area, Building and Outdoor Storage. The maximum area for farm markets shall be 3,000 square feet, which includes both the floor area of the building and the outdoor storage/display. Farm markets larger than 3,000 square feet shall be a Special Use reviewed and approved by the Planning Commission.
4. Setbacks. Farm market buildings equal to or less than 200 square feet in size shall be located not closer than 15 feet from the road right-of-way line or 25 feet from the edge of pavement, whichever is greater. Farm market buildings greater than 200 square feet in size shall comply with the minimum required setback distances for the district in which such building is located.
5. Retail Sales.
 - a. At least 75 percent of the products marketed and offered for sale (measured as an average over the farm's marketing season) must be grown or produced on and by the affiliated farm. For purposes of this requirement, affiliated means a farm under the same ownership or control (e.g. leased) as the farm market whether or not the farm market is located on the property where production occurs.
 - b. The remainder 25 percent of products sold must be agriculturally related products as defined by Section 11: Definitions.

- c. For purposes of determining the percentage of products being marketed, the primary measure will be retail space used to display products offered for retail sale during the affiliated farm's marketing season. If measurement of retail space during the marketing season is not feasible, then the percent of the gross sales dollars of the farm market will be used.
6. Education-Oriented Activities. Events and/or activities which bring the public to the property for the sole purpose of participation, learning, or involvement in the agricultural operation are permitted if they meet the following criteria:
 - i. Are limited to a one-day event no more than five times throughout a 12-month period.
 - ii. Have not more than 50 participants on the property at any one time during the one-day event.
 7. Road Access. Access to an agritourism use must be from the County primary road or State highway, unless approved by the Planning Commission.
 8. Parking. On-site vehicle parking shall be provided on agritourism property as follows:
 - a. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
 - b. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
 - c. Parking and driveway surfaces may be pervious or hard surface.
 9. Impacts. If the proposed agritourism use would cause undue impacts to surrounding properties related to drainage, traffic, noise, or other general health and safety issues, as determined by the Planning Director, review and approval by the Planning Commission as a Special Use shall be required.

SECTION VIII. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 49: REQUIREMENTS FOR SPECIAL USES, BY ADDITION OF NEW SECTION 49.10. Article 49: REQUIREMENTS FOR SPECIAL USES, Section 49.10 is hereby amended to add the following paragraphs to read as follows and to renumber the subsequent paragraphs:

ARTICLE 49: REQUIREMENTS FOR SPECIAL USES

49.10 AGRITOURISM, CATEGORY 2

1. Application Narrative. A written narrative describing the use in detail, including both agriculturally related and non-agriculturally related products and uses; proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; special events; and other information describing the use and which will assist the Planning Commission in determining whether the application meets the Special Use requirements.
2. Exemption. Generally recognized agricultural operations, which are not involved with the retail sales of goods or any public activities, are exempt from these standards.

3. General Standards.

- a. Parcel size. Parcels must be a minimum of 10 acres. The Planning Commission may consider a smaller parcel size depending on the agritourism uses planned. Their consideration of a smaller parcel size will be based on the intensity and scale of the proposed agritourism use, compatibility with surrounding property owners, and will be harmonious with the existing character of the area.
- b. Maximum floor area. The maximum floor area for all buildings related to the agritourism use shall be 10,000 square feet. Clusters of smaller, architecturally appropriate structures are encouraged to maintain rural character of the agritourism use. This maximum floor area does not include greenhouses.
- c. Outdoor storage/display. The maximum area for the storage/display of agricultural products for sale shall be one acre. This requirement does not apply to u-pick operations.
- d. Architectural character. All buildings shall incorporate a rural theme in terms of style and design. This means new agritourism uses involving new structures shall complement and enhance the rural environment. For example, gable or gambrel roofs, roof ornamentation such as cupolas, dormers, porches, and decorative shutters.
- e. New uses and buildings. New uses and buildings shall be located, designed and operated so as not to interfere with normal agricultural practices on and off site. Non-agricultural uses should be limited to lands with poor agricultural soils or lands otherwise not suitable for agricultural purposes.
- f. Use and product percentages. Agricultural products produced on site, agriculturally related products and uses, and non-agriculturally related products and uses are permitted based on the following percentages:
 - i. At least 50 percent of the products (measured as an average over the farm's marketing season) and uses marketed and offered must be grown or produced on and by or have a direct relationship with the affiliated farm. For purposes of this requirement, affiliated means a farm under the same ownership or control (e.g. leased) as the farm market whether or not the farm market is located on the property where production occurs.
 - ii. A maximum of 30 percent of the products and uses marketed and offered may be other agriculturally related products and uses as defined by Section 11: Definitions.
 - iii. A maximum of 20 percent of the products and uses marketed and offered may be non-agriculturally related products and uses as defined by Section 11: Definitions.
 - iv. For purposes of determining the percentage of products and uses being marketed and offered, the primary measure will be square footage of space used for each individual product or use. If measurement of retail space during the marketing season is not feasible to determine percentage of product, then the percent of the gross sales dollars will be used.
- g. Parking. On-site vehicle parking shall be provided on agribusiness property as follows:
 - i. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the main public activity area, plus one space for every two employees. The main public activity areas shall be defined as the primary buildings and outdoor spaces where the public congregates for the agritourism use. This shall not include areas dedicated to agricultural production.
 - ii. 24-foot two-way or 20-foot one-way circulation aisles shall be maintained. To ensure drive aisles are maintained, the location of parking spaces shall be defined by providing some type of marker at the center of the space to be placed every 64 feet for two-way traffic and 60 feet for one-way traffic.

- iii. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
 - iv. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
 - v. Parking and driveway surfaces may be pervious or hard surface.
 - vi. Accessible spaces must be provided in accordance with the requirements of Americans with Disabilities Act of 1990, utilizing the most current design standards.
 - vii. The Planning Commission may reduce or defer the number required parking spaces if the applicant provides a parking study that demonstrates, to the satisfaction of the Planning Commission, that a reduced number of parking spaces will meet the parking needs of the Agritourism uses. If parking is deferred, the location of those deferred spaces must be shown as such on the required site plan.
 - h. Lighting. Any exterior lighting installed related to an agritourism use or activity shall be appropriately shielded and directed downwards to minimize light pollution. All lighting shall meet the standards of Section 78.720: Outdoor Lighting Standards.
 - i. Trash receptacles. Trash receptacles shall be provided. If dumpsters are provided, they shall be placed on a hard surface and shall be completely obscured from view by a screen fence or wall.
 - j. Screening. Opaque screening, consisting of an earth berm, evergreen screen, or an obscuring wall or fence, shall be provided near the primary public activity areas on those sides abutting or adjacent to a residential use. The use of natural landscape materials is encouraged. The Planning Commission may waive the screening requirement in specific cases where cause can be shown that the distance between the agritourism and residential use would not require screening.
 - k. Restroom facilities. Public restroom facilities, temporary or permanent, shall be provided on site in compliance with the Americans with Disabilities Act of 1990, utilizing the most current accessibility standards.
 - l. Maximum capacity. The Fire Marshall or Building Official shall establish a maximum occupant capacity for meetings, training, educational or similar events which shall be appropriate to the site and facilities in terms of safe capacity in buildings, parking area and sanitation limitations of the site.
 - m. Hours of operation. Hours of operation must be provided by the applicant. The Planning Commission may alter the requested hours of operation for the agritourism uses, or specific elements thereof, consistent with the character of the land uses in the vicinity and may further approve an enforcement mechanism to ensure adherence to the established hours of operation.
 - n. Access. Access to an agritourism use must be from the County primary road or State highway, unless approved by the Planning Commission.
 - o. Livestock. The keeping of livestock for agritourism purposes shall be subject to the provisions of Section 78.400: Keeping of poultry, swine, horses, or livestock.
4. Agritourism Special Events.
- a. The following table outlines the type and number of Agritourism Special Events allowed throughout a typical calendar year, beginning on January 1st.

| Event Type | Event Size (persons) | Number of Consecutive Days | Days between any Event* | Total Number of Events per Year |
|--|----------------------|----------------------------|-------------------------|---------------------------------|
| Educational classes, lectures, seminars, and day camps | 1-20 | 5 | 2 | 15 |
| | 21-50 | 3 | 4 | 10 |
| | Over 50 (max 100) | 2 | 10 | 5 |
| Retail events | N/A | 2 | 30 | 3 |
| Holiday events/festivals | N/A | 2 | 60 | 3 |

*Must follow the maximum number of days between events.

- b. The agritourism operator/property owner shall submit the annual list of the special events to the Planning Commission for review within 30-days of the first requested event. The Planning Commission may eliminate a special event if said event would be unduly disruptive to the general peace and enjoyment of the rural and/or residential character of the surrounding area.
 - c. The special event must be related to and enhance the primary agritourism use of the property.
 - d. A reserved parking area shall be provided on-site to be utilized for special events. If the agritourism use intends to hold special events, this reserved area must be displayed on a site plan.
 - e. The reserved parking area must be of adequate size to accommodate the anticipated additional traffic of the special event. The size of the reserved parking area shall be reviewed and approved by the Planning Commission.
 - f. For special events lasting more than one day and with an expected daily attendance exceeding 100 hundred individuals, the on-site manager or owner shall notify all adjacent neighbors bordering the subject property in writing of the date, time, duration and description of the event. Notification shall occur at least five business days prior to the beginning of the event.
5. Education-oriented activities. Events and/or activities which bring the public to the property for the sole purpose of participation, learning, or involvement in the agricultural operation are exempt from the Agritourism Special Event standards if they meet the following criteria:
- a. Are limited to a one-day event no more than five times throughout a 12-month period.
 - b. Have not more than 50 participants on the property at any one time during the one-day event.
6. Prohibited Uses.
- a. Motorized off-road vehicle racing or other similar motor vehicle activities.
 - b. Other uses that the Planning Commission determines would disturb the general peace and enjoyment of the rural and/or residential character of the surrounding area due to excessive traffic, noise, smoke, odors, or visual clutter.

SECTION IX. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 49: REQUIREMENTS FOR SPECIAL USES, BY ADDITION OF NEW SECTION 49.20. Article 49: REQUIREMENTS FOR SPECIAL USES, Section 49.20 is hereby amended to add the following paragraphs to read as follows and to renumber the subsequent paragraphs:

ARTICLE 49: REQUIREMENTS FOR SPECIAL USES

49.20 AGRITOURISM, CATEGORY 3

1. Intent. The intent of the Category 3 Agritourism option is to allow opportunities for limited nonresidential events or activities that make use of existing rural character and agricultural buildings.
2. Application Narrative. A written narrative describing the events or activities, including proposed hours of operation; expected attendance; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; and other information describing the events or activities which will assist the Planning Commission in determining whether the application meets the Special Use requirements.
3. Events or Activities.
 - a. The following table outlines the type and number of events or activities allowed throughout a typical calendar year, beginning on January 1st.

| Event Type | Event Size (persons) | Number of Consecutive Days | Days between any Event* | Total Number of Events per Year |
|--|----------------------|----------------------------|-------------------------|---------------------------------|
| Educational classes, lectures, seminars, and day camps | 1-20 | 5 | 2 | 15 |
| | 21-50 | 3 | 4 | 10 |
| | Over 50 (max 100) | 2 | 10 | 5 |
| Retail events | N/A | 2 | 30 | 3 |
| Weddings and celebratory gatherings | 1-50 | 1 | 7 | 20 |
| | 51-150 | 1 | 20 | 15 |
| | 151-300 (max) | 1 | 27 | 10 |
| Holiday events/festivals | N/A | 2 | 60 | 3 |

*Must follow the maximum number of days between events.

- b. For events with an expected attendance exceeding 100 hundred individuals, the on-site manager or owner shall notify all adjacent neighbors bordering the subject property in writing of the date, time, duration and description of the event. Notification shall occur at least five business days prior to the beginning of the event.
 - c. Hours of operation. Hours of operation for the event or activities must be provided by the applicant. The Planning Commission may alter the requested hours of operation for the agritourism uses, or specific elements thereof, consistent with the character of the land uses in the vicinity and may further approve an enforcement mechanism to ensure adherence to the established hours of operation.
4. General Standards:
 - a. Parcel size. Parcels must be a minimum of 10 acres. The Planning Commission may consider a smaller parcel size depending on the agritourism uses planned. Their consideration of a smaller parcel size will be based on the intensity and scale of the proposed agritourism use, compatibility with surrounding property owners, and will be harmonious with the existing character of the area.

- b. Architectural character. All buildings shall incorporate a rural theme in terms of style and design. This means new agritourism uses involving new structures shall complement and enhance the rural environment. For example, gable or gambrel roofs, roof ornamentation such as cupolas, dormers, porches, and decorative shutters.
- c. Road Access. Access to an agritourism use must be from the County primary road or State highway, unless approved by the Planning Commission.
- d. Parking. On-site vehicle parking shall be provided on the agritourism property as follows:
 - i. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the main public activity area, plus one space for every two employees. The main public activity areas shall be defined as the primary buildings and outdoor spaces where the public congregates for the agritourism use. This shall not include areas dedicated to agricultural production.
 - ii. 24-foot two-way or 20-foot one-way circulation aisles shall be maintained. To ensure drive aisles are maintained, the location of parking spaces shall be defined by providing some type of marker at the center of the space to be placed every 64 feet for two-way traffic and 60 feet for one-way traffic.
 - iii. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
 - iv. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
 - v. Parking and driveway surfaces may be pervious or hard surface.
 - vi. Accessible spaces must be provided in accordance with the requirements of Americans with Disabilities Act of 1990, utilizing the most current design standards.
 - vii. The Planning Commission may reduce or defer the number required parking spaces if the applicant provides a parking study that demonstrates, to the satisfaction of the Planning Commission, that a reduced number of parking spaces will meet the parking needs of the agritourism uses. If parking is deferred, the location of those deferred spaces must be shown as such on the required site plan.
- e. Lighting. Any exterior lighting installed related to an agritourism event or activity shall be appropriately shielded and directed downwards to minimize light pollution. All lighting shall meet the standards of Section 78.720: Outdoor Lighting Standards.
- f. Trash receptacles. Trash receptacles shall be provided. If dumpsters are provided, they shall be placed on a hard surface and shall be completely obscured from view by a screen fence or wall.
- g. Screening. Opaque screening, consisting of an earth berm, evergreen screen, or an obscuring wall or fence, shall be provided near the primary public activity areas on those sides abutting or adjacent to a residential use. The use of natural landscape materials is encouraged. The Planning Commission may waive the screening requirement in specific cases where cause can be shown that the distance between the agritourism and residential use would not require screening.
- h. Restroom facilities. Public restroom facilities, temporary or permanent, shall be provided on site in compliance with the Americans with Disabilities Act of 1990, utilizing the most current accessibility standards.
- i. Maximum capacity. The Fire Marshall or Building Official shall establish a maximum capacity for special activities or events which shall be appropriate to the site and

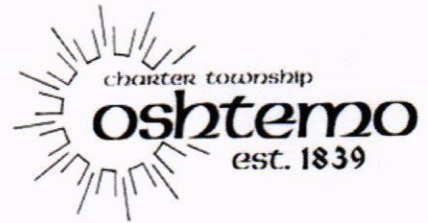
facilities in terms of safe capacity in buildings, parking area and sanitation limitations of the site.

5. Prohibited Uses.

- a. Motorized off-road vehicle racing or other similar motor vehicle activities.
- b. Other uses that the Planning Commission determines would disturb the general peace and enjoyment of the rural and/or residential character of the surrounding area due to excessive traffic, noise, smoke, odors, or visual clutter.

SECTION X. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP



Memorandum

Date: April 23, 2019

To: Township Board

Subject: Single Waste Hauler

Draft Survey will be distributed early next week.